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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Attention: Allocations Branch

Re: Petition for Rulemaking and
Request for Modification of Authorization
FM Table of Allotments
Columbia and Bourbon, Missouri

Dear Ms. Searcy:

Transmitted herewith, on behalf of Al Greenfield, d/b/a The Greenfield Group, Receiver, licensee of KCMQ(FM), Columbia, Missouri, are an original and four copies of his "Petition for Rulemaking and Request for Modification of Authorization", which seeks the substitution of Channel 244C1 for Channel 244C3 at Columbia, Missouri, and modification of KCMQ(FM)'s authorization to specify operation thereon, and substitution of Channel 297A or Channel 231A for Channel 244A at Bourbon, Missouri.

Should any additional information be required concerning this matter, please contact this office.

Very truly yours,

FLETCHER, HEALD & HILDRETH

Frank R. Jazzo
Frank R. Jazzo

FRJ/sj
Enclosure

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ORIGINAL

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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JUL 30 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
(Columbia and Bourbon, Missouri))

MM Docket No. _____

To: Chief, Allocations Branch

**PETITION FOR RULEMAKING AND
REQUEST FOR MODIFICATION OF AUTHORIZATION**

Al Greenfield d/b/a The Greenfield Group, Receiver ("Greenfield"), licensee of station KCMQ(FM), Channel 244C3,¹ Columbia, Missouri, hereby petitions the Commission to amend Section 73.202(b) of the Commission's Rules (FM Table of Allotments) as follows:

Allotments

<u>Community</u>	<u>Existing</u>	<u>Proposed</u>
Columbia, Missouri	230A, 244C3 252C2, 268C1 272A	230A, 244C1 252C2, 268C1 272A
Bourbon, Missouri	244A	297A or 231A

In addition, it is requested that the Commission modify the license (BLH-4969) and construction permit (BPH-911021IF) of KCMQ(FM) to specify operation on Channel 244C1 at Columbia, Missouri, pursuant to Section 1.420(g)(3) of the FCC's Rules. The Commission may modify the KCMQ(FM) license and construction permit

¹ KCMQ(FM) is presently licensed on Channel 244A at Columbia, Missouri (BLH-4969). Greenfield holds a construction permit to upgrade KCMQ(FM)'s facilities to Class C3 (BPH-911021IF).

without considering competing expressions of interest because Channel 244C1 is a mutually exclusive higher class co-channel. To facilitate the proposed upgrade of KCMQ(FM), Greenfield also requests that the FCC substitute either Channel 297A or Channel 231A for Channel 244A at Bourbon, Missouri, which is a vacant FM allotment for which no applications are presently on file.

KCMQ(FM) presently holds a construction permit for Channel 244C3 at Columbia (File No. BPH-911021IF). As set forth in the attached Engineering Statement of David Dickmann (Exhibit 1), KCMQ(FM)'s proposed estimated primary service area (60 dBu, 1 mV/m) from operation on Channel 244C3 encompasses a land area of 4,735 kilometers with an estimated population of 183,800 people. Exhibit 1 at 5. By contrast, KCMQ(FM)'s primary service area from operation on Channel 244C1 at Columbia will cover a land area of 16,435 square kilometers encompassing an estimated population of 335,000 persons. Id. This represents a gain in land area of 11,700 square kilometers or 347%, and a gain in population of 151,200 people or 182%.

KCMQ(FM) proposes to operate on Channel 244C1 from a site located approximately 41 kilometers south-southeast of Columbia. Exhibit 1 at 2. This site, from which KCMQ(FM) would provide full city-grade coverage over Columbia, meets the minimum distance separations of Section 73.207(b) with respect to all stations and allotments with the exceptions of the presently licensed facilities of KNSX(FM), Channel 244A, Steelville, Missouri, and the vacant Channel 244A allotment at Bourbon, Missouri. On January 16, 1990, KNSX(FM) was awarded a construction permit to change frequency and

to upgrade to Channel 227C2 at Steelville (FCC File No. BPH-881011IJ), pursuant to a substitution of its channel of operation and modification of its license adopted in the Report and Order in Mass Media Docket 87-335. On June 1, 1992, KNSX(FM) filed an application to reinstate that permit (File No. BPH-920601JD). The FCC's staff has indicated to Greenfield that, if necessary, it will direct KNSX(FM) to change frequency to Channel 227 in order to facilitate the upgrade of KCMQ(FM) authorized in construction permit BPH-911021IF.

With respect to Channel 244A at Bourbon, Greenfield has identified two alternative channels for that community which would provide city-grade coverage over Bourbon and which would be fully-spaced to all stations and allotments, including KCMQ(FM)'s proposed operation on Channel 244C1 at Columbia. As set forth at Figure 2 of Mr. Dickmann's Statement, Channel 297A at Bourbon would be fully spaced from a site located approximately 2.5 kilometers southwest of Bourbon.² Exhibit 1 at 4. Alternatively, Channel 231A at Bourbon would be fully spaced to all stations and allotments except for KQMX(FM), Channel 232A, Rolla, Missouri. In Mass Media Docket No. 91-181, however, the FCC is considering substituting Channel 292A for Channel 232A at Rolla. *Id.* Should the FCC adopt that proposal, it would eliminate the only short-spacing to Channel 231A and thereby allow that channel to be

² This site restriction is much less than that which currently exists for the Channel 244A allotment at Bourbon.

substituted for Channel 244A at Bourbon. It should be noted that regardless of which channel is substituted for Channel 244A at Bourbon, neither substitution will cause disruption to an existing service because Channel 244A is a vacant allotment for which no applications are on file.

If Channel 244C1 is substituted for Channel 244C3 at Columbia, and the license and construction permit of KCMQ(FM) are modified to specify operation thereon, Greenfield will file the necessary modification application with the FCC and, if granted, will promptly modify the facilities of KCMQ(FM) accordingly.

Pursuant to Section 1.401(d) of the Commission's Rules, a draft notice of proposed rule making is attached hereto as Exhibit 2.

WHEREFORE, it is respectfully requested that the Commission amend Section 73.202(b) of its Rules by substituting Channel 244C1 for Channel 244C3 at Columbia, Missouri, and by substituting either Channel 297A or Channel 231A for Channel 244A at Bourbon, Missouri. It is also requested that the license and construction permit of KCMQ(FM) be modified to specify operation on Channel 244C1 at Columbia.

By my signature below, I verify under penalty of perjury that the information provided in this Petition for Rulemaking is true and correct.

Respectfully submitted

AL GREENFIELD DBA THE
GREENFIELD GROUP, RECEIVER


Al Greenfield

Dated: July 30, 1992

EXHIBIT 1

TECHNICAL STATEMENT
IN SUPPORT OF
A PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS
AL GREENFIELD, D.B.A. THE GREENFIELD GROUP, RECEIVER
COLUMBIA, MISSOURI

This technical statement and associated exhibits have been prepared on behalf of Al Greenfield, D.B.A. The Greenfield Group, Receiver (herein "Petitioner") in support of a Petition for Rule Making requesting amendment of 47 CFR 73.202(b) by the substitution of channel 244C1 for channel 244C3 at Columbia, Missouri and modification of the construction permit of station KCMQ, channel 244C3, Columbia, Missouri accordingly. Station KCMQ is presently licensed (BLH-4969) on channel 244A with an effective radiated power of 3.0 kilowatts and antenna height above average terrain of 49 meters. Additionally, station KCMQ holds a construction permit (BPH-911021IF) authorizing operation on channel 244C3 with an effective radiated power of 11 kilowatts and antenna height above average terrain of 148 meters. When compared with the authorized KCMQ channel 244C3 facility, it is predicted that the operation proposed herein (full Class C1 facilities) would provide primary FM service (60 dBu, 1.0 mV/m) over an additional 11,700 square kilometers of land area encompassing an additional population of 151,200 persons.

Proposed Change in FM Table of Allotments

Petitioner herein requests modification of the FM Table of Allotments, 47 CFR 73.202(b), by the substitution of channel 244C1 for channel 244C3 at

Columbia, Missouri. Channel 244C1 can be substituted for channel 244C3 at Columbia, Missouri and meet the Commission's minimum distance separations of 47 CFR 73.207(b) providing that station KNSX, channel 244A, Steelville, Missouri changes to channel 227C2 as ordered in Mass Media Docket No. 87-335¹ and an alternate channel is substituted for the channel 244A allotment at Bourbon, Missouri. An FM channel search was conducted and two possible alternate channels are available for the Bourbon, Missouri allotment: channels 297A and 231A. The proposed changes are, therefore, as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Columbia, Missouri	230A, 244C3, 252C2, 268C1 272A	230A, 244C1, 252C2, 268C1, 272A
Bourbon, Missouri	244A	297A or 231A

Compliance with FCC Rules

The attached Figure 1, contains a map showing the permissible area within which a channel 244C1 facility may be located and tabulation of required separations pertinent to the use of channel 244C1 at Columbia, Missouri. The following geographic coordinates of an assumed site approximately 41 kilometers south-southeast of Columbia have been used in this study:

38° 37' 40" North Latitude

92° 07' 00" West Longitude.

¹It is noted that KNSX holds a construction permit for channel 227C2.

From this assumed site, it is predicted that the requisite city coverage of Columbia, per 47 CFR 73.315, will be provided.

As can be seen in the tabulation in Figure 1, the assumed site meets the minimum distance separations of 47 CFR 73.207(b) with respect to all stations and allotments with the exceptions of station KSNX, channel 244A, Steelville, Missouri and the channel 244A allotment at Bourbon, Missouri. KSNX has been ordered to channel 227C2 pursuant to Mass Media Docket No. 87-335 and presently holds a construction permit for this channel. With respect to the Bourbon, Missouri allotment, it appears that either channel 297A or channel 231A may be substituted for channel 244A. Justification for the availability of these channels is provided below.

Channel 244A was assigned to Bourbon, Missouri as a result of FCC action in MM Docket 89-74. The allotment was effective on February 28, 1991 and contained a restriction to locate the site approximately 8 kilometers (5 miles) southeast of the community. The FCC's "window" for the filing of applications was announced for dates between March 1, 1991 and April 1, 1991. To date there have been no applications filed. Hence, the channel change can be made with no impact to an authorized operation.

The attached Figure 2 illustrates the permissible use of channel 297A at Bourbon, Missouri. The map on Sheet 1 of Figure 2 depicts the permissible area within which a channel 297A facility may be located and meet the separation distances of 47 CFR 73.207(b) to all other stations and allotments. Sheet 2 is a tabulation of

these required separations from an assumed site within this area. The assumed site coordinates are:

38° 08' 30" North Latitude

91° 16' 00" West Longitude.

As can be seen in the tabulation, all required separations are met, except with respect to a proposal to add channel 297A at Cuba, Missouri. This proposal to substitute channel 297A for channel 231A at Cuba was denied by the FCC in MM Docket No. 89-120. As the assumed site is only 2.5 kilometers southwest of Bourbon, it is predicted that the city coverage requirements of 47 CFR 73.315 will be met. This site restriction is much less than that for the current channel 244A allotment.

In the event that channel 297A is unavailable, it appears that channel 231A is useable as a substitute for channel 244A at Bourbon, Missouri.

The attached Sheet 1 of Figure 3 is a map illustrating the permissible area within which a channel 231A facility may be located and meet the minimum distance separations of 47 CFR 73.207(b). Sheet 2 of Figure 3 is a tabulation showing the actual and required separations to all pertinent stations and allotments from an assumed channel 231A facility at a site within the permissible area. The following geographical coordinates were used for the assumed site:

38° 05' 00" North Latitude

91° 15' 00" West Longitude.

As can be seen in the tabulation, the minimum distance separations are met with respect to all stations and

allotments except KQMX, channel 232A, Rolla, Missouri. It has been proposed (Mass Media Docket No. 91-181) that channel 292A be substituted for channel 232A at Rolla. If this is done, then channel 231A appears to be available at Bourbon, Missouri. The city coverage requirements of 47 CFR 73.315 are predicted to be met from this assumed site which is approximately 8 kilometers south of Bourbon.

Population and Area

The KCMQ, channel 244C3 facility (11 kilowatts, 148 meters), as authorized in construction permit BPH-911021IF, is estimated to provide primary (60 dBu, 1.0 mV/m) service over a land area of 4,735 square kilometers encompassing an estimated population of 183,800. Operation from the assumed site with full Class C1 facilities (100 kilowatts, 299 meters) is estimated to provide FM primary service over a land area of 16,435 square kilometers encompassing an estimated 335,000 persons. Thus, operation as proposed herein would extend primary service over an additional, estimated 11,700 square kilometers encompassing an additional, estimated 151,200 persons.²

²The population within each FM primary service contour was calculated using a computer program that utilizes the 1990 U.S. Census database of "population centroids." The program adds the populations of those census areas having centroids within the service area. The land area within each FM primary service contour was determined by use of a computer program utilizing a root-mean-square algorithm.

Conclusion

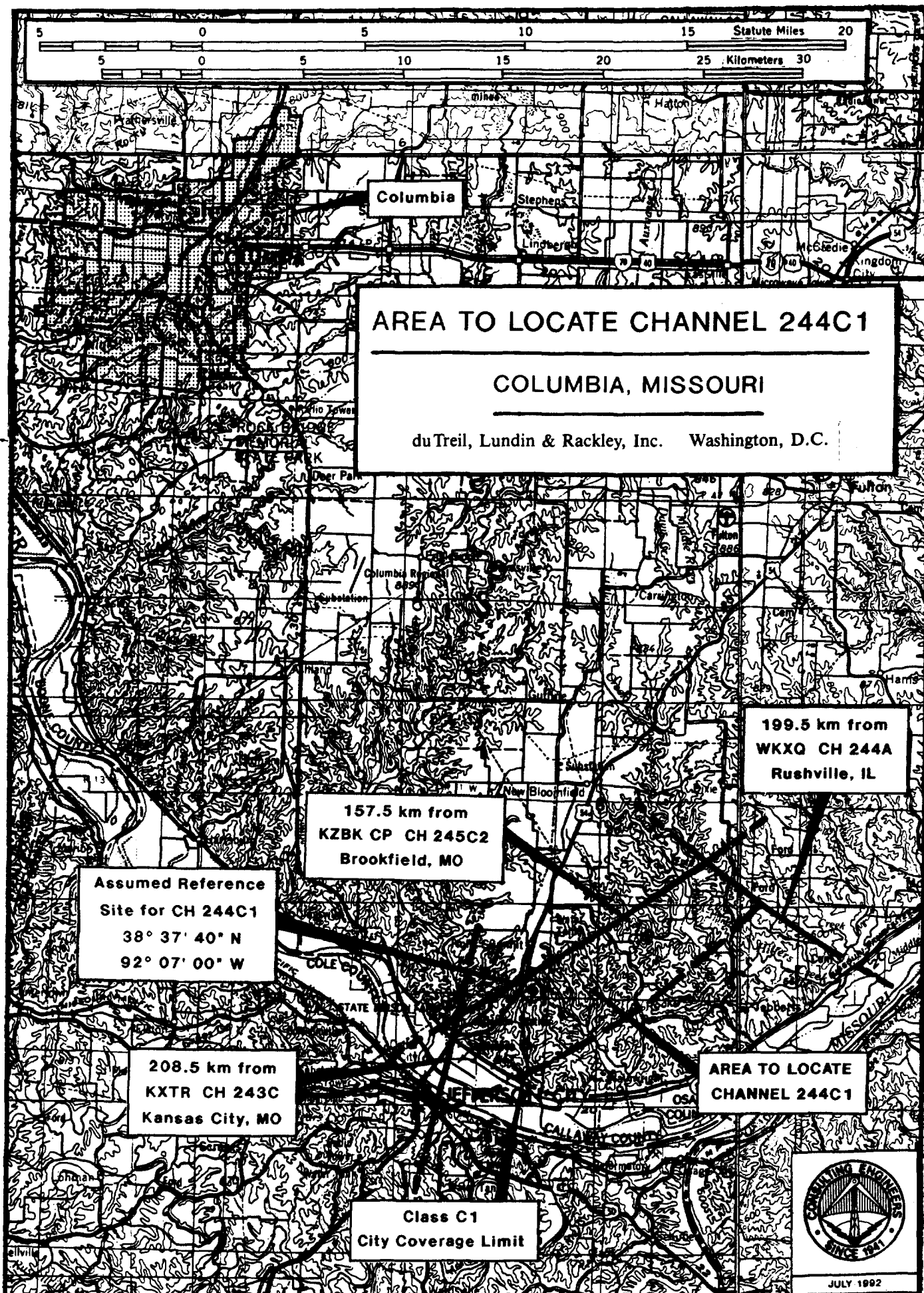
Channel 244C1 can be substituted for channel 244C3 at Columbia, Missouri in compliance with all applicable Commission rules as detailed above. Therefore, Petitioner requests the substitution of channel 244C1 for channel 244C3 at Columbia, Missouri and the modification of the construction permit of FM station KCMQ accordingly. As detailed above, Petitioner also requests the substitution of channel 297A or channel 231A for channel 244A at Bourbon, Missouri.



David E. Dickmann

du Treil, Lundin & Rackley, Inc.
1019 19th Street, N.W., Suite 300
Washington, D.C. 20036

July 21, 1992



TECHNICAL STATEMENT
IN SUPPORT OF
A PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS
AL GREENFIELD, D.B.A. THE GREENFIELD GROUP, RECEIVER
COLUMBIA, MISSOURI

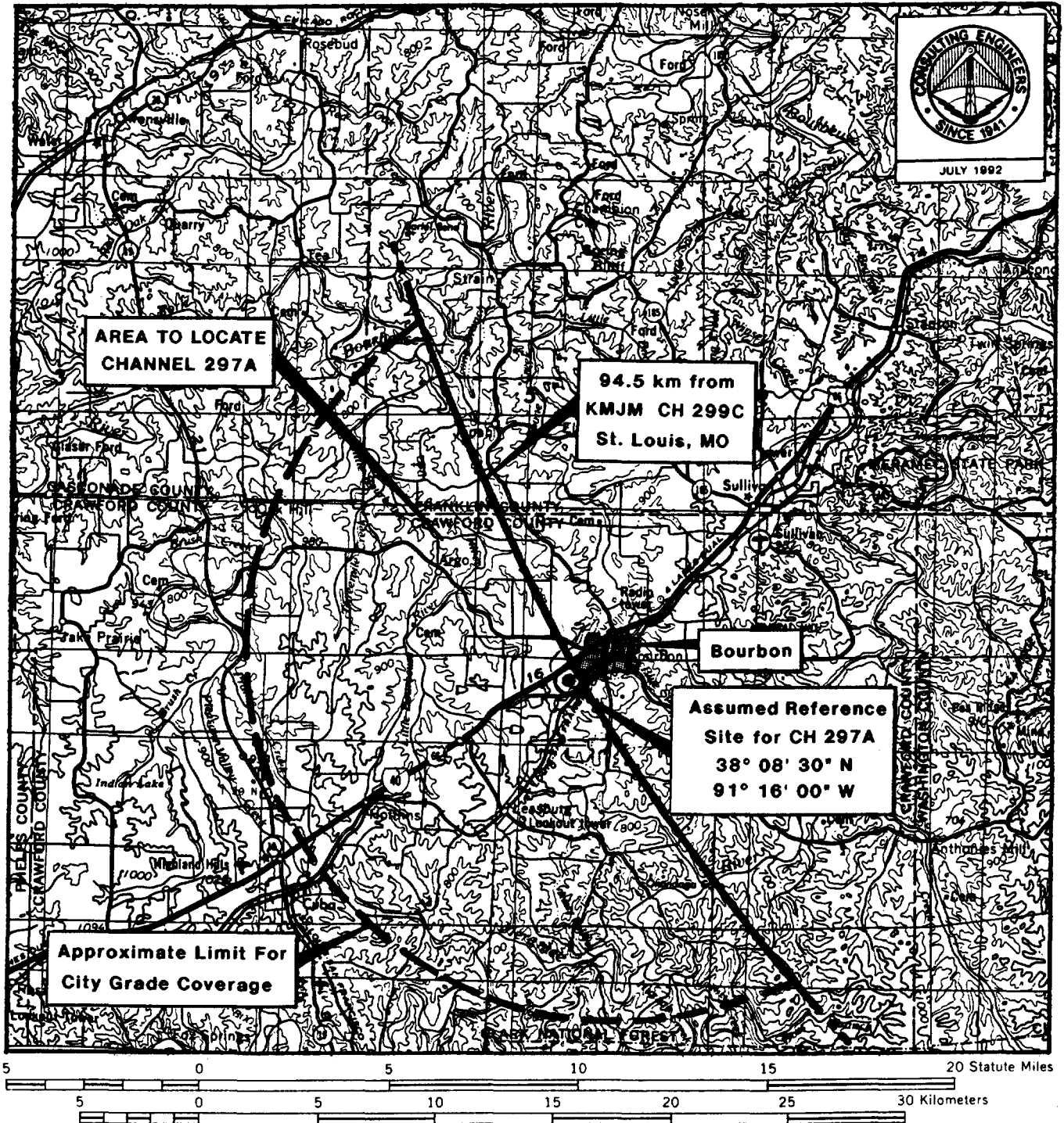
Allocation Study
Channel 244C1, Columbia, Missouri

Assumed Site Coordinates: 38° 37' 40" N
92° 07' 00" W

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KLRQ CP	Clinton MO	BPH850617MI	241C 96.1	100. 301.0	38-28-27 93-30-28	262.4	122.47	105
KXTR LIC	Kansas City MO	BLH870427KC	243C 96.5	100. 300.0	39-00-57 94-30-24	282.5	211.98	209
KNSX LIC	Steelville MO	BLH850613KH	244A 96.7	0.50 195.0	37-55-40 91-26-50	142.9	97.32	200/1
ALC	Bourbon MO	Docket89-74	244A 96.7	.0	38-06-10 91-10-22	125.1	101.01	200/2
KMEM LIC	Memphis MO	BLH820412AN	244A 96.7	3.00 91.0	40-29-59 92-09-58	358.9	207.87	200
WKXQ LIC	Rushville IL	BLH850528KJ	244A 96.7	3.00 100.0	40-08-20 90-39-26	36.3	209.66	200
KZBK CP	Brookfield MO	BPH891016IA	245C2 96.9	28.0 48.0	39-50-26 93-04-48	328.7	158.27	158
KXOZ LIC	Mountain View MO	BLH900430KC	245C2 96.9	50. 150.0	36-59-29 91-47-41	171.1	183.83	158

/1 Ordered to channel 227C2 per Docket 89-74.

/2 It is proposed, herein, to substitute channel 231A or 297A
for channel 244A at Bourbon, MO.



AREA TO LOCATE CHANNEL 297A

BOURBON, MISSOURI

du Treil, Lundin & Rackley, Inc. Washington, D.C.

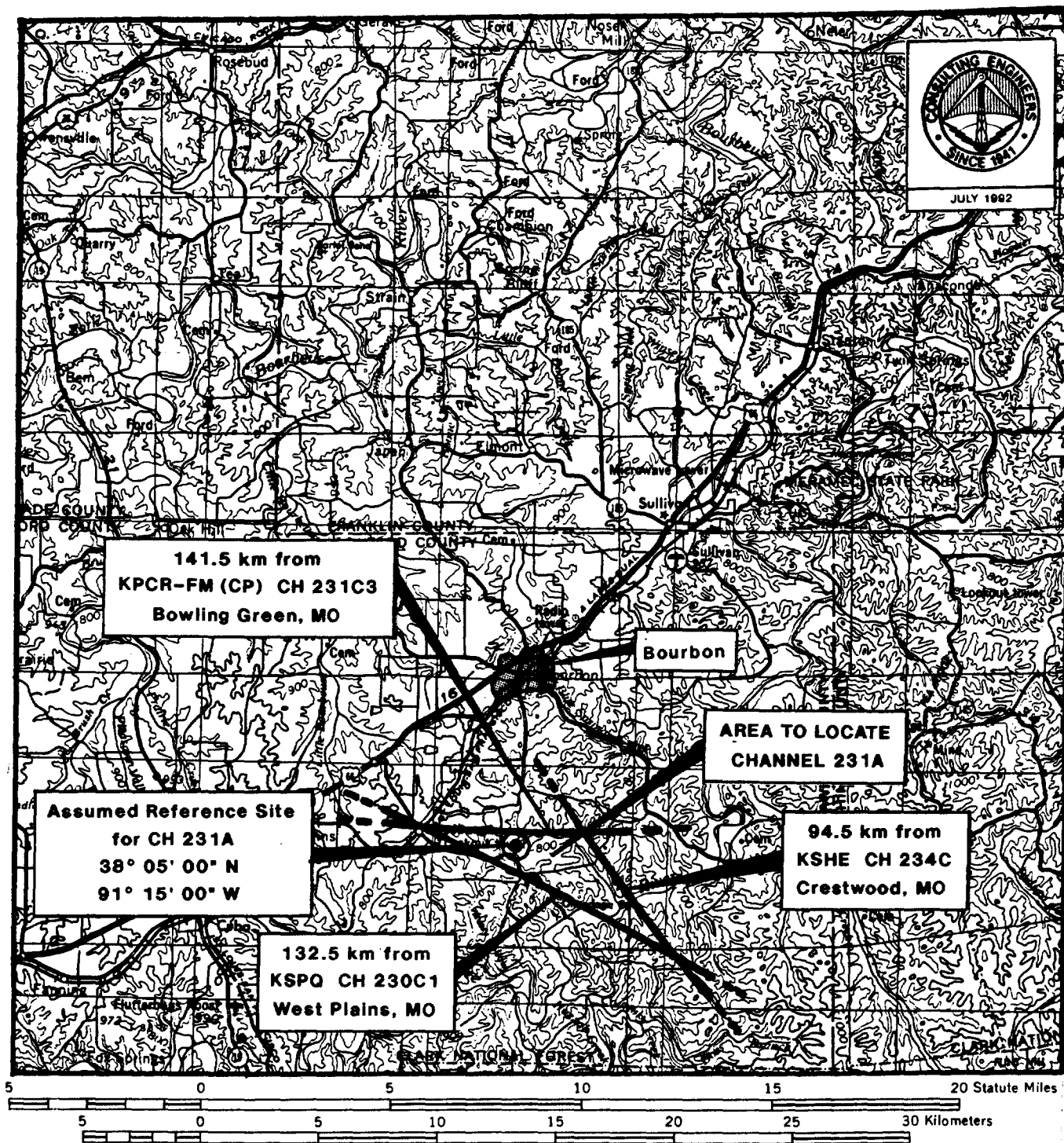
TECHNICAL STATEMENT
IN SUPPORT OF
A PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS
AL GREENFIELD, D.B.A. THE GREENFIELD GROUP, RECEIVER
COLUMBIA, MISSOURI

Allocation Study
Channel 297A, Bourbon, Missouri

Assumed Site Coordinates: 38° 08' 30" N
91° 16' 00" W

Call Status	City State	FCC File No.	Channel Freq.	ERP(kw) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KNSX LIC	Steelville MO	BLH850613KH	244A 96.7	0.50 195.0	37-55-40 91-26-50	213.7	28.56	10
KTXV LIC	Jefferson City MO	BLH900727KA	295C 106.9	100. 381.0	38-38-16 92-29-34	297.7	120.46	95
ALC	Birch Tree MO	Docket90-411	296C3 107.1	.0	37-03-26 91-32-33	191.5	122.81	89
PADD	Cuba MO	RM6701	297A 107.3	.0	38-03-49 91-24-37	235.4	15.30	115/1
WDDDFM LIC	Marion IL	BLH850305KR	297B 107.3	50. 150.0	37-45-15 88-56-05	101.2	209.43	178
KXXR CPM	Lexington MO	BMPH881011IM	297C 107.3	100. 361.0	39-02-15 93-55-48	294.1	252.46	226
KMJM LIC	St. Louis MO	BLH871209KD	299C 107.7	100. 313.0	38-34-24 90-19-30	59.4	95.25	95

/1 The proposed substitution of channel 297A for channel 271A
at Cuba, Missouri was denied in MM Docket 89-120.



AREA TO LOCATE CHANNEL 231A

BOURBON, MISSOURI

duTreil, Lundin & Rackley, Inc. Washington, D.C.

TECHNICAL STATEMENT
IN SUPPORT OF
A PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS
AL GREENFIELD, D.B.A. THE GREENFIELD GROUP, RECEIVER
COLUMBIA, MISSOURI

Allocation Study
Channel 231A, Bourbon, Missouri

Assumed Site Coordinates: 38° 05' 00" N
91° 15' 00" W

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KSDFM LIC	St. Louis MO	BLH800129AA	229C1 93.7	100. 262.0	38-34-05 90-19-55	55.8	96.65	75
KSPQ LIC	West Plains MO	BLH890201KC	230C1 93.9	100. 198.0	37-00-12 91-54-24	205.9	133.18	133
KPCRFM CP	Bowling Green MO	BPH910122IE	231C3 94.1	25.0 82.0	39-21-57 91-10-45	2.4	142.51	142
WMIXFM LIC	Mount Vernon IL	BLH2581	231B 94.1	50. 168.0	38-22-14 88-55-20	80.4	206.31	178
KQMX LIC	Rolla MO	BMLH910514KE	232A 94.3	3.0 90.0	37-57-50 91-45-54	253.8	47.13	72/ <u>1</u>
KZMOFM PADD	California MO	RM7696	232C2 94.3	.0	38-26-00 92-26-00	291.0	110.63	106
KSHE LIC	Crestwood MO	BLH870504KB	234C 94.7	100. 313.0	38-34-24 90-19-30	55.7	97.48	95

/1 The substitution of channel 292A for channel 232A at Rolla, Missouri has been proposed in MM Docket 91-181.

EXHIBIT 2

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of)	
)	MM Docket No. _____
Amendment of Section 73.202(b))	RM _____
Table of FM Allotments)	
Columbia and Bourbon, Missouri)	

NOTICE OF PROPOSED RULE MAKING

By the Chief, Policy and Rules Division:

1. Al Greenfield d/b/a The Greenfield Group, Receiver ("Petitioner"), licensee of Station KCMQ(FM), currently operating on Channel 244A and holding a construction permit for Channel 244C3, Columbia, Missouri, filed a petition for rule making on July 30, 1992, seeking to substitute Channel 244C1 for Channel 244C3 at Columbia, Missouri, and requesting the issuance of a modified license and construction permit for KCMQ(FM) to change its assigned channel classification from Channel 244C3 to 244C1.¹ Petitioner stated its intention to use the upgraded channel, if assigned. The requested substitution can be made in compliance with the FCC's mileage separation requirements (47 C.F.R. §73.207(b)) from a transmitter site located at the coordinates 38° 37' 40" North Latitude, 92° 07' 00" West Longitude, if the FCC substitutes either Channel 297A or Channel 231A for Channel 244A at Bourbon, Missouri,

¹ KCMQ(FM) is presently licensed on Channel 244A at Columbia, Missouri (BLH-4969). Petitioner holds a construction permit to upgrade KCMQ(FM)'s facilities to Class C3 (BPH-911021IF).

a vacant allotment for which no applications are currently pending.²

2. In view of the foregoing, the Commission believes it appropriate to propose amending the FM Table of Allotments (Section 73.202(b) of the Commission's Rules) with regard to the following communities.

<u>Channel No.</u>		
<u>City</u>	<u>Present</u>	<u>Proposed</u>
Columbia, Missouri	230A, 244C3 252C2, 268C1 272A	230A, 244C1 252C2, 268C1 272A
Bourbon, Missouri	244A	297A or 231A

The Commission also believes it appropriate, pursuant to Section 1.420(g)(3), to propose modification of Petitioner's license and construction permit, as requested, to specify operation on Channel 244C1, because Channel 244C1 is a mutually exclusive higher class co-channel.

3. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are

² Channel 231A at Bourbon would be short-spaced to Station KQMX(FM), Channel 232A, Rolla, Missouri. This short-spacing would be removed, however, if the FCC substitutes Channel 292A for Channel 232A at Rolla as proposed in MM No. Docket 91-181. Also, Channel 244C1 at Columbia is short-spaced to station KNSX(FM), Channel 244A, Steelville, Missouri. However, KNSX(FM) was upgraded to Channel 227C2 at Steelville pursuant to the Report and Order in MM Docket No. 87-335, and it has received a construction permit to build on the new channel (File No. BPH-881011IJ). KNSX(FM) has recently filed an application (File No. BPH-920601JD) to reinstate its construction permit for Channel 227C2 at Steelville.

incorporated by reference herein. NOTE: A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be allotted.

4. Interested parties may file comments on or before _____, and reply comments on or before _____, and are advised to read the Appendix for the proper procedures. A copy of such comments should be served on Petitioner as follows:

Al Greenfield
d/b/a The Greenfield Group, Receiver
207 W. Clarendon, Suite 10E
Phoenix, Arizona 85013

5. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Allotments, Section 73.202(b) of the Commission's Rules. See, Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rulemakings to Amend Sections 73.202(b), 73.540 and 73.606(b) of the Commission's Rules, 46 Fed. Reg. 11549, published February 8, 1981.

6. For further information concerning this proceeding, contact _____, Mass Media Bureau, (202) 634-6530. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all ex parte contacts are prohibited in Commission proceedings such as this one which involve channel assignments. An ex parte contact is a message (spoken or written) concerning the merits of a pending

rule making other than comments officially filed at the Commission or an oral presentation required by the Commission. Any comment which has not been served on the Petitioner constitutes an ex parte presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who file the comment to which the reply is directed constitutes an ex parte presentation and shall not be considered in the proceeding.

FEDERAL COMMUNICATIONS COMMISSION

Chief, Policy and Rules Division
Mass Media Bureau